

**STATE BOARD MEETING
MINUTES
September 13, 2010
House Room 3, State Capitol, Richmond**

I.	Joint Committee Meeting	III.	Committee Meetings
II.	Planning Retreat	IV.	Regular Meeting

Monday September 13
PART I

JOINT COMMITTEE MEETING

Members Present: Daniel E. Karnes, **Chair**, Ruth G. Jarvis **Vice-Chair**, Gretta Doering, Andrew Goddard, Cheryl Ivey Green, Joseph M. Guzman, Robert Hendrickson, Jennifer M. Little, Ananda K. Pandurangi.

Members Absent: None.

Staff: Charline Davidson, Director, Office of Planning and Development
Paul Gilding, Director, Office of Community Contracting
Linda Grasewicz, Assistant Director, Office of Planning and Development
Les Saltzberg, Director, Office of Licensing
Ruth Anne Walker, Director, Office of Legislative Affairs

Others: None.

Call to Order: At 10 a.m. Daniel Karnes, Chair, called the meeting to order. A call for introductions took place prior to proceeding.

Review of Documents: At 10:05 Linda Grasewicz reviewed the documents provided in the meeting packet, and the comments received from the Office of the Attorney General since the packet was mailed.

Review of Proposed Changes: Les Saltzberg reminded members that this has been a long regulatory process that initially started in September 2006. He reviewed with members the major topics under which the proposed changes fell, and answered questions from members throughout his review regarding the proposed changes, the status of the system overall and the size and function of the DBHDS Office of Licensing. The major topics include:

- Changes in the environment in the last few years including the rapid growth of providers and changes to the Medicaid regulations;
- Bringing the definition of Qualified Mental Health Professional (QMHP) and clinical supervision requirements in

- line with Medicaid regulations;
- Simplifying some of the service definitions; and,
- Clarifying the clinical assessment process.

Adjournment Having had a thorough review and discussion of the proposed regulatory changes, the Joint Committee Meeting was adjourned.

LUNCH BREAK Board members had lunch before proceeding with the day's agenda.

PART II PLANNING RETREAT

Members Present: Daniel E. Karnes, **Chair**, Ruth G. Jarvis **Vice-Chair**, Gretta Doering, Andrew Goddard, Cheryl Ivey Green, Joseph M. Guzman, Robert Hendrickson, Jennifer M. Little, Ananda K. Pandurangi.

Members Absent: None.

Staff: Charline Davidson, Director, Office of Planning and Development
Paul Gilding, Director, Office of Community Contracting
Meghan McGuire, Director, Office of Communications
James W. Stewart, III, Commissioner
Ruth Anne Walker, Director, Office of Legislative Affairs
Joy Yeh, Assistant Commissioner, Finance

Others: William A. Hazel, Jr., M.D., Secretary of Health and Human Resources, Office of the Governor
Keith Hare, Deputy Secretary of Health and Human Resources, Office of the Governor

Call to Order: At 12:45 p.m. Daniel Karnes, Chair, convened the planning retreat. Ms. Walker reviewed the materials in the retreat packet which included: the list of Power's and Duties, topics presented at meetings in recent years, locations of meetings in recent years and the Board's 2009 Annual Executive Summary.

Commissioner Update: At 12:50 p.m. Jim Stewart updated the Board on the status of Eastern State Hospital and answered questions.

Joy Yeh gave an overview of the administrative budget process including instructions and timelines established by the Department of Planning and Budget. She shared that the process was delayed this year because of the installation of a new computer system at DPB. However, the timeline has the same basic steps each year: the Department meets with the Secretary to deliver its request for budget proposals for the coming General Assembly Session, in December the Governor announces his budget and the General Assembly makes changes to the proposed budget. Ms. Yeh reported that this year there

was one budget proposal regarding the Sexually Violent Predator (SVP) program and the Virginia Center for Behavioral Rehabilitation (VCBR) to add staff at VCBR.

**Health and Human
Resources Update:**

At 1:18 p.m. Secretary Hazel and Deputy Secretary Hare gave an update on HHR priorities, primarily the impending federal Health System Reform. He added to the Commissioner's comments on the status of Eastern State Hospital. Mr. Hare stated that things have improved steadily since January as the commissioner has implemented his plans for change, and there is every expectation improvements will continue.

Discussion continued regarding children's behavioral health services and the need for more community alternatives closer to where children reside, and a seamless spectrum of services that would allow individuals to move from one level of care to another as needed.

Mr. Hare stated that the core role of the Board in developing and updating policies and regulations are very important to the system as a whole.

**Resume
Commissioner's
Report:**

Commissioner Stewart and Charline Davidson gave a presentation on the Department's strategic priorities and the implementation action teams.

Questions and comments from members included: the Developmental Disability (DD) Waiver, the importance of having a baseline to measure the effectiveness of the priorities, electronic health records, jail diversion and prisoner reentry, and workforce development in relation to the availability of psychiatrists particularly within specialty areas.

**Board Discussion and
Planning:**

Members expressed interest in reinstating the Volunteer Award Luncheon. Staff was asked to investigate the cost associated with the event. If, after reviewing the costs, the Board goes forward with reinstating the event, then a special subcommittee would be formed to evaluate and report recommendations on any changes to the award structure and the event overall.

Members expressed a need for clarity in regard to the stated duty in § 37.2-200 of the *Code of Virginia* "To review and comment on all budgets and requests for appropriations for the Department prior to their submission to the Governor and on all applications for federal funds; and the confidentiality that surrounds the actual budget proposal process. While the latter language regarding applications for federal funds is now addressed through the Grant Review Committee, the first portion regarding 'review and comment...prior to submission to the Governor' seemed much more difficult to fulfill under current

restrictions. [NOTE: This issue was revisited at the Regular Meeting on Tuesday, September 14, 2010 and as a result staff was directed to initiate a scheduling request to Secretary Hazel to discuss it further.]

Priorities: Members discussed topics of particular interest to them, and set as the priority areas for the coming year:

- Programs for Caregivers
- Quality Measures of Major DBHDS Initiatives
- Ongoing Need for Inpatient and Residential Services
- Status of Knowledge Development for Electronic Health Records
- Good Working Models of both Crisis Stabilization and Comprehensive In-Home Services

Adjournment: There being no further business, the Chair adjourned the Planning Retreat.

Respectfully Submitted:

Daniel E. Karnes, Chair

Ruth Anne Walker, Director, Legislative Affairs

MINUTES
STATE BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

III. Planning and Budget Committee

September 14, 2010

Richmond, Virginia

Members Present: Daniel E. Karnes, Cheryl Ivey Green, Joseph M. Guzman, Ph.D., and Jennifer M. Little

Staff Present: Ken Gunn and Charline Davidson

Call to Order: The meeting was called to order at 9:10 a.m.

Planning and Budget Committee Meeting Minutes 6/25/2010

Committee members reviewed and moved to accept the minutes without objection.

Introductions

Committee members and staff welcomed Dr. Guzman to the committee. Charline Davidson introduced Ken Gunn, the DBHDS Budget Director, and members introduced themselves to Ken.

Budget Process

Charline Davidson spoke to the responsibilities of the Planning and Budget Committee in the proposed POLICY 2010 (ADM ST BD) 10-1 Review and Comment on Behavioral Health and Developmental Services Budget Priorities (formerly Policy 6001(FIN) 86-1). The Policy Development and Evaluation Committee has revised the current policy to reflect current practice and to include in the years that the biennial budget is developed a summer planning retreat as a mechanism for the Board to communicate its budget priorities proposed for the next biennium to the Department. In the proposed policy, the biennial retreat would occur before the formal budget cycle begins so the Board's priorities could inform the Department budget submission determinations. Ms. Davidson said that the Policy and Evaluation Committee planned to present this updated policy to the full Board for its consideration at the Board meeting.

Ken Gunn distributed and discussed a handout describing the Commonwealth's annual budget development cycle, a DBHDS Appropriations analysis for fiscal year 2011, a listing of DBHDS general fund reductions between FY 2008 and FY 2012, and a budget analysis of maintenance and operating funds by facility and for community programs and the Central Office and Office of the Inspector General for the fiscal year ended June 30, 2010. In his review of the budget development cycle, Mr. Gunn reported that implementation of a new Department of Planning and Budget (DPB) information system has delayed the agency budget development timeframes. Normally, agencies would have completed their submissions and would be in discussions with the Secretary and DPB analyst by now but this year agencies are waiting for DPB instructions.

Members asked a number of questions about the budget reductions to the Department and services system and asked whether additional cuts were anticipated. Mr. Gunn replied that none had been officially announced but that it was important to continue to monitor the overall economy.

The Committee also discussed the impact of the 30% reduction to the Central Office and the impact of the 10% reduction to community programs that serve as the safety net for individuals who have

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no other access to services. Of particular concern was the impact of continuing cuts when demand for services is increasing. Members questioned how the goal of increased community-based services articulated by the Secretary and Commissioner could be achieved without giving CSBs the resources they need.

The Committee also discussed how staff turnover and other issues were causing communities to be more creative in how they were approaching service delivery. Members thought there might be opportunities to build on efforts to advocate for the services system.

Board Budget Reports

Ken Gunn reviewed the new State Board's budget expenditures report format and asked if there were any questions. Rather than routine reports from budget staff, the Committee agreed to communicate any questions they might have about State Board budget expenditures through Committee staff.

Adjourn: The Planning and Budget Committee meeting was adjourned at 9:55 a.m.

MINUTES
STATE BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

IV. Policy and Evaluation Committee

September 14, 2010

Richmond, Virginia

Members Present: Ruth Jarvis (Chair), Gretta Doering, Andrew Goddard, Bob Hendrickson, Anand Pandurangi.

Members Absent: None.

Staff Present: Ruth Anne Walker, Neila Gunter, India Sue Ridout, Mary Clair O'Hara, Paul Gilding.

I. Call to Order

The meeting was called to order at 9:05 a.m. by Ruth Jarvis, Chair.

II. Welcome

Ruth Jarvis welcomed everyone to the meeting.

III. Adoption of Policy and Evaluation Committee Meeting Minutes, June 25, 2010

Committee members reviewed and approved the minutes for the May meeting.

IV. Policies for Final Review and Recommendation for Board Adoption

The final field review period on the following three revised policies ended on August 6th with no further recommendations received. The committee reviewed drafts of the following three policies. Nonsubstantive edits were noted by staff, and affirmed by the committee. The committee approved recommending to the Board that the Board rescind *Policy 6001 (FIN) 86-1* and adopt the three revised policies as

1. Policy 4023 (CSB) 86-24, *Housing Supports*
2. Policy 5010 (FAC) 00-1, *State Facility Uniform Clinical and Operational Policies and Procedures*
3. Policy 2010 (ADM ST BD) 10-1 *Review and Comment on Behavioral Health and Developmental Services Budget Priorities*

V. First Review and Discussion Review and Discussion

The following two policies were distributed for initial field review and comment on August 6, 2010. The window ended on September 10, 2010.

- Policy 1028(SYS)90-1 *Human Resource Development*
- Policy 3002(CO)86-16 *System-wide Staff Training*

To inform members on the topic, the committee received two presentations. First, Ms. Gunter and Ms. Ridout from the Office of Human Resource Development and Management reported on broadbased competencies developed by the Department. Second, Ms. O'Hara, Clinical Training Manager in the Office of Quality Management & Development, reported on the types of training developed and conducted by the Department annually, particularly on subject matter dictated by state law.

VI. Next Steps: November 30, 2010

Staff would prepare initial draft(s) for the committee to review in November.

VII. Scheduled Review Matrix

Staff referred members to the Review Matrix in the packet.

VIII. Adjournment

The next meeting of the committee will be November 30, 2010 at Eastern State Hospital in Williamsburg. It is not expected that a committee meeting will need to be held prior to that date. There being no further business, the committee adjourned at 9:50 a.m.

DBHDS STATE BOARD MEETING MINUTES

Tuesday, September 14, 2010
DBHDS, 13th Floor Conference Room
Jefferson Building
1220 Bank Street
Richmond, VA 23218

Members Present: Daniel E. Karnes, **Chair**, Ruth G. Jarvis **Vice-Chair**, Gretta Doering, Andrew Goddard, Joseph Guzman, Cheryl Ivey Green, Robert Hendrickson, Jennifer M. Little, Anand K. Pandurangi

Staff: Chanda Braggs, Associate Director, Office of Licensing
Braden Curtis, Office of the Attorney General
Charline Davidson, Director, Office of Planning and Development
Karen DeSousa, Office of the Attorney General
Paul Gilding, Director, Office of Community Contracting
Linda Grasewicz, Assistant Director, Office of Planning and Development
Neila Gunter, Director, Office of Human Resource Development and Management
Kli Kinzie, Executive Secretary, Office of Human Rights
India Sue Ridout, Workforce Development Manager Les Saltzberg, Director, Office of Licensing
James W. Stewart, III, Commissioner
Frank Tetrick, Assistant Commissioner, Quality Management and Development
Allyson Tysinger, Senior Assistant Attorney General/ Chief, Health Services Section, Office of the Attorney General
Ruth Anne Walker, Director, Office of Legislative Affairs
Margaret Walsh, Director, Office of Human Rights

Others: Jennifer Faison, VACSB Public Policy Manager

Call to Order: At 10:16 a.m. Daniel Karnes, Chair, called the September 14, 2010, DBHDS State Board meeting to order. A call for introductions took place prior to proceeding.

Approval of Agenda: *At 10:19, upon a motion by Jennifer Little and seconded by Andrew Goddard, the Board unanimously approved the September 14, 2010 agenda.*

Approval of Draft Minutes: Regular Meeting, June 25, 2010 *At 10:20, upon a motion by Cheryl Ivey Green and seconded by Jennifer Little, the Board unanimously approved the minutes of the June 25, 2010 meeting with one minor correction.*

Public Comment:

At 10:21 Dan Karnes called for public comments. *There were no public comments.*

Anand Pandurangi stated his desire to encourage more public participation, especially when the Board meets in locations that are easily accessible and where parking is not an issue. Staff confirmed that notice of the meetings are distributed broadly to stakeholders.

Ruth Anne Walker said the Board received one FOIA request since the last meeting and that it was responded to appropriately.

Commissioner's Report

At 10:24 James Stewart, DBHDS Commissioner, thanked the Board for the opportunity to speak with them and said that he was very appreciative of the time he was given on September 13 to address the Board.

James Stewart provided copies of the DBHDS organization chart and talked about staff changes within the department. Mr. Stewart provided an update on current department initiatives and briefed the Board on the status of the DOJ investigation.

Members of the Board thanked Mr. Stewart and expressed how impressed they are with his leadership of the department.

Regulatory Action

At 11:09 Linda Grasewicz provided an update on regulatory action.

**Petition for Rulemaking
from Steve Shoon**

At 11:15 Linda Grasewicz presented a petition for rulemaking submitted by Steven Shoon.

Upon a motion by Jennifer Little and seconded by Anand Pandurangi, the Board unanimously voted to acknowledge receipt of the petition for rulemaking and will forward it for publishing in the Virginia Register.

Licensing Regulations

At 11:18 Dan Karnes thanked Les Saltzberg for his interesting and informative presentation to the Board on September 13 at the Joint Committee Meeting.

Les Saltzberg and Linda Grasewicz summarized the recommended revisions to the Licensing Regulation, 12 VAC 35-105, et. seq. A copy of the draft document was provided to Board members prior to the meeting. Following discussion, Linda Grasewicz requested the Board adopt the recommended changes.

Upon a motion by Jennifer Little and seconded by Anand Pandurangi, the Board unanimously adopted the suggested revisions to 12 VAC 35-105, et. seq.

Committee Reports:**A. Grant Review Process**

At 11:35 Linda Grasewicz provided an update on the activities of the Grant Review Committee. The committee needed to add a new member to the committee in light of the member Catherine M. Hudgins leaving the Board.

Dan Karnes appointed Dr. Joseph Guzman to serve on the Grant Review Committee.

B. Planning & Budget

At 11:36 on behalf of Ken Gunn, Charline Davidson provided an update on the activities of the Planning and Budget Committee.

C. Policy Development and Evaluation

At 11:50 Ruth Anne Walker provided an update on Policy Development and Evaluation.

Ms. Walker reported the Committee's recommendation that the Board rescind the current policy 6001 (FIN) 86-1, *Process and Timetable for Board/Department Interaction in Budget Preparation and Submission*, and adopt the new policy 2010 (ADM ST BD) 10-1 Review and Comment on Behavioral Health and Developmental Services with minor revisions. There was discussion regarding #3 of the Board's Powers and Duties as listed in the *Code of Virginia*.

Upon a motion by Robert Hendrickson and seconded by Cheryl Ivey Green, the Board voted to rescind current policy 6001 (FIN) 86-1, Process and Timetable for Board/Department Interaction in Budget Preparation and Submission, and adopt the new policy with revisions. Anand Pandurangi and Joseph Guzman opposed.

Dan Karnes asked for volunteers to meet with Secretary Hazel and Commissioner Stewart to discuss the new policy before the next meeting of the Board. Joseph Guzman, Anand Pandurangi and Andrew Goddard volunteered.

Upon a motion by Jennifer Little and seconded by Andrew Goddard, the Board unanimously voted to adopt as final Policy 4023 (CSB) 86-24, Housing Supports, and Policy 5010 (FAC), 00-1, State Facility Uniform Clinical and Operational Policies and Procedures, as modified.

Break for Lunch

At 12:25 the Board collected lunch before resuming business. .

Presentation on Workforce Issues

At 12:40 Neila Gunter, Director, Office of Human Resource Development and Management, provided an overview of the department structure and function of staff. Neila Gunter and India Sue Ridout, Workforce Development Manager, discussed human resource policies relating to training and education of staff and the impact that the transformation to community based services has had on workforce competencies, especially in regards to backbone services (e.g.,

nursing).

Ruth Anne Walker reminded the Board that they are hearing this topic in preparation for the revision of a workforce and training policy.

Dan Karnes thanked Ms. Gunter and Ms. Ridout for speaking with the Board.

**Update on the
Performance Measures**

At 1:15 Frank Tetrick, Assistant Commissioner, Quality Management and Development, provided an update on performance measures. The department strives for continuous quality improvement while moving in the direction of a community-based system of care.

**Update on the Virginia
Association of
Community Services
Boards**

At 1:43 Jennifer Faison, Public Policy Manager, VACSB provided an update on the activities of the Virginia Association of Community Services Boards. Ms. Faison reported that the VACSB is doing as much as it can to provide staff with knowledge and information to influence a greater understanding of how healthcare reform will impact consumers, especially consumers with intellectual disabilities. As a result of decisions from the General Assembly, the VACSB is developing a plan that will foster a responsible managed care organization.

Board members expressed concern that a plan to foster greater managed care may make the system even more complicated for individuals seeking services, and that it may set in place another layer of bureaucracy.

In response to a question from the Board about whether the VACSB plan would make the system more attractive to the private sector, Ms. Faison noted that the organization the VACSB is proposing would be not-for-profit. This organization would keep local funding in the community for services, rather than using some of those funds to support excessive administration costs and profits for a private managed care organization. The VACSB's managed care organization would offer support and guidance to public and private providers, while introducing reasonable and effective managed care principles into the operation of the current services system and providing the accountability sought by the General Assembly.

The Board asked that the VACSB take a closer look at models from other states.

Dan Karnes thanked Jennifer Faison for coming before the Board with this issue.

Miscellaneous

- Board Liaison

At 2:15 Jennifer Little reported that she participated in the viewing of Voices of Hope and Recovery on Friday, September 17 in Mathews

Reports	<p>County. Ms. Little also communicated to the Board how stressful and difficult it can be for consumers to connect with appropriate services and get needed care.</p> <p>Robert Hendrickson reported that he continues to attend meetings of the Southwest Virginia Behavioral Health Board.</p> <p>Dan Karnes has been attending meetings in his region.</p>
<ul style="list-style-type: none"> Quarterly Budget Report 	At 2:18 Ms. Walker referred members to the quarterly budget. Members confirmed approval of the new format for the report.
<ul style="list-style-type: none"> Meeting Schedule 	<i>At 2:19 upon a motion by Joseph Guzman and seconded by Jennifer Little, the Board unanimously adopted the proposed meeting schedule for the remainder of calendar year 2010.</i>
<ul style="list-style-type: none"> Bylaws Draft (for consideration in November) 	At 2:20 Ms. Walker said she would forward the draft Bylaws via e-mail and hard copy to Board members for review.
Other Business & Adjournment	<p>At 2:21 Dan Karnes welcomed new Board member Joseph Guzman. Mr. Karnes thanked staff for attending and thanked Board members for their thoughtful participation.</p>

Respectfully Submitted:

Daniel E. Karnes, Chair

Kli Kinzie, Secretary